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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CASE NO. L:06-MJ-1273-01
	§	
Jorge Antonio ESPINOZA	§	

ORDER OF DETENTION PENDING TRIAL

A detention hearing in accordance with Title 18, United States Code, Section 3142(f) was held in this case on July 9, 2006. Defendant is charged under Title 8, United States Code, Section 1324, with knowingly, willfully, and unlawfully transporting two (2) Mexican nationals and ten (10) other undocumented aliens by means of a motor vehicle within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of a motor vehicle or otherwise, in furtherance of such violation of law. I find that the following facts are established by clear and convincing evidence and that they REQUIRE THE DETENTION of the Defendant, Jorge Antonio Espinoza, pending trial in this case.

FINDINGS OF FACT

The Government proffered the Pretrial Services Report stating Defendant is a United States citizen who was born in Laredo, Texas. Defendant reported to Pretrial Services that he has used cocaine on a daily basis since he was twenty-one, and he is a member of the Mexican mafia. Defendant has a lengthy prior record which includes a 1995 conviction for possession with intent to distribute marijuana, a 2002 probation violation, and a 2002 supervised release violation.

Defense counsel proffered that Defendant is forty (40) years old and has lived in Laredo, Texas most of his life. Defendant is currently in a common law relationship with Brenda River and has five children. Defendant lives with his half brother at 1008 East Locust, Laredo, Texas, and all of Defendant's family lives in the United States.


REASONS FOR DETENTION

Based on the information provided to the Court by the Government, the Court finds that Defendant is a flight risk and a danger to the community and that there are no conditions or combination of conditions that will reasonably assure the Defendant's presence at further court proceedings. Defendant is a flight risk based on his previous probation violations and his ties with the Mexican mafia and is a danger to the community based on his prior record, his daily use of cocaine, and his admitted gang membership in the Mexican mafia.

DIRECTIONS REGARDING DETENTION

The Defendant is committed to the custody of the United States Marshal for the Southern District of Texas, Laredo, Texas for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE at Laredo, Texas, this 10th day of August, 2006.



Adriana Arce-Flores
United States Magistrate Judge